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ART UNIT	PAPER NUMBER
3689	

NOTIFICATION DATE	DELIVERY MODE
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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	Application No.	Applicant(s)
Office Action Summary	09/829,151	ALAN YOUNG
	Examiner	Art Unit	
	Tan Dean D. Nguyen	3689	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 September 2010*.
2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-7,9,10,12 and 14-19* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) *1-7,9,10,12 and 14-19* is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a)☐ All   b)☐ Some * c)☐ None of:
      1.☐ Certified copies of the priority documents have been received.
      2.☐ Certified copies of the priority documents have been received in Application No. _____.
      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1.   The amendment of 9/22/2010 has been entered. Claims 14-19 have been

added.

Claim Status

2.   Claims 1-7, 9-10 and 12, 14-19 are pending. The claim comprise 3 independent

groups:

   1) Method: 1-7, 12, 14-15,

   2) System: 9, 16-17, and

   3) Apparatus: 10, and 18-19.

   Claims canceled: 8, 11, and 13.

   As of 3/29/10, independent method claim 1 is as followed:

 1.   (previously presented) A method for reporting a value of a key performance

indicator comprising:

   a) receiving information identifying a selected key performance indicator to

monitor;

   b) identifying at least one business event associated with the selected key

performance indicator;

   c) receiving a business event message indicating an occurrence of the business

event, the business event message including business data describing the business

event;

d) in response to receiving the business event message, electronically determining, using a processor, the value of the key performance indicator based on the business data; and

e) displaying the determined value of the key performance indicator via a contextual interface; and

wherein the business event message further includes a successor event and an expected time period indicating when the successor event is expected to occur and further comprising:

f) determining that the expected time period has been reached;

g) determining whether the successor event has occurred; and

h) based at least in part on determining that the expected time period has been reached and that the successor event has not occurred, displaying a message for the successor event.

Note: for convenience, letters (a)-(b) are added to the beginning of each element.

Claim Rejections - 35 USC § 112

1.   Claims 1-7, 9, 10 and 12 are rejected under 35 U.S.C. 112, second paragraph,

as being indefinite for failing to particularly point out and distinctly claim the subject

matter which applicant regards as the invention.

        1) In amended independent claims 1, 9 and 10, it's not clear the relationship

between business event message for determining and displaying the value of the key

performance indicator (KPI) and "a successor event"? What the "successor event" has

to do with the scope of the claim which is "reporting a value of a KPI" or to do with the

"KPI" or "event" in the "event message"? Is the "successor event" is "replacing" or

"following" the first event in the "event message"? The specification on pages 13-14

have been reviewed but it's not clear how this clarifies the above issue.

Claim Rejections - 35 USC § 103

2.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

3.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

4.   The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148

USPQ 459 (1966), that are applied for establishing a background for determining

obviousness under 35 U.S.C. 103(a) are summarized as follows:

        1.   Determining the scope and contents of the prior art.

2.   Ascertaining the differences between the prior art and the claims at issue.

3.   Resolving the level of ordinary skill in the pertinent art.

4.   Considering objective evidence present in the application indicating obviousness or nonobviousness.

5.   Claims 9 (system), 10 (apparatus), and 1-7 (method) are rejected under 35

U.S.C. 103(a) as being unpatentable over (1) JOHNSON ET AL in view of (2a)

ORACLE Article of 9/20/1999, hereinafter as "ORACLE" or (2b) PEOPLESOFT

Article of July 12, 1999, hereinafter as "PEOPPLESOFT" or vice versa, and further

in view of (3) ZAGER ET AL. and (4) SWEENEY ET AL.

As for independent claim 9, 10 and 1, JOHNSON ET AL fairly display a

system/apparatus and method for reporting information such as proposal, quote,

forecast, comprising:

a) a processor configured to execute a workflow manager operable to (capable

of):

{see Fig. 2, col. 10, lines 6-19 "…executing on general purpose

computers…processors or computing platforms… processor…"}

(ii) identify a business event affecting the value of the business process;

(iii) receive a business event information (message) indicating an

occurrence of the business event, the business event message including

business data describing the business event;

{see Figs. 1, 3, 4, 5, 6, 10B, 11, especially Fig. 19 "*EVENT MANAGING*

UNIT", "*MONITORING UNIT*", and Fig. 22, cols. 27-28, col. 32, lines 25-67, col.

33, lines 20-65, col. 34, lines 1-60, and col. 35, lines 1-24}

(iv) in response to receiving the business event message, determine

several business process (proposal, quote term, sale, forecast, trend, etc.) or

calculate a quote price or proposal based on profitability requirements, to

implement/carry out improve business performance based on the business data;

and

{see Figs. 4, element 408 "Quote", 410 "Finance", and "412 "Proposal",

col. 14, lines 5-67, cols. 27-28, col. 32, lines 45-67, col. 33, lines 18-60,

especially col. 34, lines 1-55}

(v) output the result of the determined business process proposed or

implemented; and

(b) a contextual <u>visualization</u> in connection with the workflow manager operable

to (capable of) display the data (result or value) of the proposed/implemented business

process/task.

{see Figs. 11, "Communication equipment", Fig. 13 "Screens & Interface", col.

10, lines 5-50, col. 26, lines 35-50}. Alternatively, the screen or interface or terminal as

shown above is capable of this feature.

JOHNSON et al fairly teaches the claimed invention <u>except for</u> element/function

(i) receiving a selection of business performance parameter to monitor, i.e. key

performance indicator (KPI), carrying out functions/step (b) using the (KPI) parameter

and the new "wherein clause" to include the "successor event" limitation.

ORACLE is cited to teach a business <u>monitoring</u> and management application

and integrated information source including the use <u>of tracking a business performance</u>

<u>parameter such as key performance indicators</u> (KPI) and forecasting business

opportunity to improve competitive advantage and enhance business operation with

multidimensional analysis by empowering the business managers and executives to

<u>easily</u> <u>analyze e-business</u> **sales** <u>information</u> and **marketing data** via a standard web

browser {see page 1}. The software provides global <u>access</u> to real time <u>business</u>

<u>monitoring information such as sales, forecasting</u>, <u>marketing trends</u> and internet click-

stream data to enhance a company's customer intelligence {see page 1}. The steps of

(i)-(v) are merely steps involved in monitoring and reporting a business performance

and these are inherently including in the accessing the information, monitoring and

analyzing and marketing of data including the <u>tracking of the **key performance**</u>

<u>indicators</u> <u>(KPIs)</u> via a standard Web browser as cited in ORACLE above. It would

have been obvious to modify the teachings of JOHNSON et al by using other business

monitoring parameter, i.e. key performance indicator (KPI), for monitoring a business

process with respect to a business event instead of forecasting or trend or analyzing

market value as taught by ORACLE as mere using other similar financing parameters to

monitor the desired business <u>process</u> to achieve similar business event monitoring

result.

Alternatively, the teachings of ORACLE is cited above. ORACLE discloses the

step of <u>receiving</u> business information and <u>analyzing</u> e-business sales and marketing

data via a standard web browser {see page 1}. ORACLE fails to explicitly disclose the

step of receiving information indicating an occurrence of a business <u>event</u>, identifying a

business <u>event</u>, and determine a business monitoring parameter, such as KPI, based

on the received information. This missing feature is taught by JOHNSON et al as cited

above. It would have been obvious to modify the teachings of ORACLE by receiving

information indicating an occurrence of a business <u>event</u>, identifying a business <u>event</u>,

and determine a business monitoring parameter as taught by JOHNSON et al as for an

improved system for <u>automatically facilitating a sale opportunity or a new event in the</u>

<u>sales process</u> using event manager as shown on Figs. 4, 7, 8 19 or 22, col. 2, lines 20-

50.

Similarly, **PEOPLESOFT** is cited to teach a business monitoring and

management application and integrated cause-and-effect perspective on key

management processes by providing the capabilities necessary to design and monitor

critical success factors and calculate KPI to help managers develop and execute

organizational strategy {see page 1}. The PeopleSoft Balanced scorecard leverages

data and metrics from internal and external data sources and provides a focal point for

EPM's four business solutions: Strategic & Financial management, Workforce Analytics

and Industry Process management, and Customer Relationship management {see page

1}. Therefore, it would have been obvious to modify the teachings of JOHNSON et al

by using other financing parameter such as a key performance indicator instead of

forecasting or analyzing market value as taught by PEOPLESOFT as mere using other

similar financing parameters to achieve similar business event monitoring result.

Alternatively, the teachings of PEOPLESOFT is cited above. PEOPLESOFT

discloses the step of receiving business data and metrics from internal and external

data sources and analyzing the data to provide business solution {see page 1}.

PEOPLESOFT fails to explicitly disclose the step of receiving information indicating an

occurrence of a business event, identifying a business event, and determine a business

monitoring parameter, such as KPI, based on the received information. This missing

feature is taught by JOHNSON et al as cited above. It would have been obvious to

modify the teachings of PEOPLESOFT by receiving information indicating an

occurrence of a business event, identifying a business event, and determine a business

monitoring parameter as taught by JOHNSON et al as for an improved system for

automatically facilitating a sale opportunity or a new event in the sales process using

event manager as shown on Figs. 4, 7, 8 19 or 22, col. 2, lines 20-50.

The teachings of JOHNSON ET AL./ ORACLE or PEOPLESOFT fail to teach the

new amended limitations of "wherein" clause with the "successor event".

In a dynamic modeling of business process management and prediction of

impacts of events (faulty events), **ZAGER ET AL.** is cited to teach several relevant

concepts/elements:

(c) receiving a business event message indicating an occurrence of the event

and identifying the event to be special type of event, the event message including

business data describing the event {see Figs. 4, 9, col. 14, "…*receives a message*

indicating an event that is inherently a root-cause event....", col. 15, lines 1-30"};

(f) more useful information includes a successor (incoming) events that are related to each other (related events) and what their likely impacts will be, and

(i) displaying (reporting) the related incoming events.

{see Figs. 4, 9, col. 15, lines 10-30}

Therefore, it would have been obvious to modify the teachings of JOHNSON et al /ORACLE or PEOPLESOFT to include the concepts as shown in functions (c) , (f) and (i) above as taught by ZAGER ET AL. for the purpose of obtaining more useful information includes a successor (incoming) events that are related to each other (related events) and what their likely impacts will be.

In a process management with prediction of a secondary event and prevention of the primary (conditional) event, **SWEENEY ET AL**. discloses the use of event prediction scheduler for predicting a successor event and an expected time period (prediction scheduler) indicating when the successor event is expected to occur and further comprising:

f) determining that the expected time period has been reached;

g) determining whether the successor event has occurred; and

h) based at least in part on determining that the expected time period has been reached and that the successor event has not occurred, displaying a message for the successor event.

{see Figs. 4A, 6, 7, col. 5, lines 20-67, cols. 13, lines 13-55, col. 14, lines 24-67, and col. 15, lines 1-20, and especially col. 24, line 24 to col. 25, line 6}

Therefore, it would have been obvious to modify the teachings of JOHNSON et al /ORACLE or PEOPLESOFT /ZAGER ET AL. to include the concepts as shown above as taught by ZAGER ET AL. for the purpose of providing more informed decision under various event feature as shown on col. 6, lines 1-15.

As for dep. claims 2-6 (part of 1 above), which deal with the type of business event message or features of the messages with respect to events or data or information, these are non-essential to the scope of the claimed invention and are fairly taught in JOHNSON ET AL Figs. 4-7. Moreover, the limitations are considered as non-functional descriptive material (NFDM) on the data of "...", thus having no patentable weight. The mere insertion of "reference event" or "change event" or "competition event" data over "data" does not "impart functionality when employed as a computer component", thus having no patentable weight.

See MPEP 2106.01 "Descriptive material can be characterized as either "functional descriptive material" or "nonfunctional descriptive material." In this context, "functional descriptive material" consists of data structures and computer programs which impart functionality when employed as a computer component. (The definition of "data structure" is "a physical or logical relationship among data elements, designed to support specific data manipulation functions." The New IEEE Standard Dictionary of Electrical and Electronics Terms 308 (5th ed. 1993).) "Nonfunctional descriptive material" includes but is not limited to music, literary works, and a compilation or mere arrangement of data.

Also, the features of reference, change, threshold events, task failures, etc. are

taught in ZAGER ET AL. cols. 3-4, Figs. 4, 7, col. 6, lines 1-15.

Also, the features of reference, change and threshold events, etc., are taught in

SWEENEY ET AL. cols. 24-25.

As for dep. claim 7 (part of 1 above), which deal with the type of PKI, i.e.

prediction (trend or forecast), this is fairly taught in PEOPLESOFT or ORACLE, as

described above.

6.   Dependent claim 12 is rejected under 35 U.S.C. 103(a) as being

unpatentable over JOHNSON et al /PEOPLESOFT or ORACLE / ZAGER ET AL.

/SWEENEY ET AL. as applied to claims 1-7 above, and further in view of CLINE et

al.

The teachings of JOHNSON et al /PEOPLESOFT or ORACLE /ZAGER ET AL. /

SWEENEY ET AL. as applied to claims 1-7 are cited above.

As for dep. claim 12 (part of 1 above), which deal with requesting additional

information about the business event if desired, in another system/method for

monitoring process (flight) plan, CLINE et al discloses the general concept of

determining whether to request additional information about other event related to the

process (flight) plan, requesting the additional information from an information provider;

and wherein electronically generate a different process/flight plan or the update of an

existing plan based on the requested or updated information/value in order to allow the

flight crew (manager) to effectively and continuously monitor the process (aircraft)

progress, and, if necessary or desirable, update or change the process performance

(flight plan) {see cols. 2-3, 13, 15, lines 1-30, col. 17, line 60 to col.8, line 20, cols. 29-

30, and 30-34}.   It would have been obvious to modify the teachings of JOHNSON et al

/ORACLE or PEOPLESOFT /ZAGER ET AL. /SWEENEY ET AL. to include the steps of

determining whether to request additional information about other event related to the

process (flight) plan, requesting the additional information from an information provider;

and wherein electronically generate a different process/flight plan or the update of an

existing plan based on the requested or updated information/value as taught CLINE et

al to allow the flight crew (manager) to effectively and continuously monitor the process

(aircraft) progress, and, if necessary or desirable, update or change the process

performance (flight plan), as indicated above.

7.   **Dependent claims 14-15 (part of 1), 16-17 (part of 9), and 18-19 (part of 10),**

are rejected under 35 U.S.C. 103(a) as being unpatentable over JOHNSON et al

/PEOPLESOFT or ORACLE / ZAGER ET AL. /SWEENEY ET AL. as applied to

claims 1-7, 9, and 10 respectively above, and further in view of KAUFMAN ET AL.

(US 5,260,778).

        The teachings of JOHNSON et al /PEOPLESOFT or ORACLE /ZAGER ET AL. /

SWEENEY ET AL. as applied to claims 1-7 are cited above.

        As for dep. claims 14-15 (part of 1 above), and respective 16-17 (part of 9), and

18-19 (part of 10), which appear to be dealt with maintain a message queue, storing a

queue, generating a messaging if an event is overdue and/or purging the event, In a

similar system for selective distribution of messages, KAUFMAN ET AL. fairly teaches

the concepts or steps cited above, see Figs. 3, steps 82-114, col. 3, lines 40-50, and

col. 7, lines 11-45.

It would have been obvious to modify the teachings of JOHNSON et al /ORACLE

or PEOPLESOFT /ZAGER ET AL. /SWEENEY ET AL. to include the steps of maintain a

message queue, storing a queue, generating a messaging if an event is overdue and/or

purging the event, In a similar system for selective distribution of messages, as taught

by KAUFMAN ET AL. for selectively displaying a selective overdue event/task/activity

and/or purging/clearing the queue messages if desired at the consent of the operator as

shown on col. 7, lines 35-41.

Note that respective dep. claims 14-15, 16-17 and 18-19, have similar limitations.

8.   Claims 9, 1-7 and 12 are rejected (2nd time) under 35 U.S.C. 103(a) as being

unpatentable over JOHNSON ET AL in view of (2) ORACLE Article of 9/20/1999,

hereinafter as "ORACLE", (3) ZAGER ET AL. , (4) SWEENEY ET AL. and (5)

BATTAT et al.

As for claims 9 and 1, In a network management system, BATTAT et al is cited to

teach a method for monitoring an object by reporting /displaying information with

respect to change of information, message and events related to the object, comprising

the steps receiving business event message information indicating an occurrence of the

business event and how these events messages affect the monitoring object and

wherein the result of change of the events are displayed via a contextual visualization

(real world) interface to obtain the benefits of allowing the user to be intuitive as if

physically present in a real world environment or high degree of user defined

customization or business process overview as indicated as shown on col. 4, line 47 to

col. 5, line 51. See also Fig. 3, steps (301), (302), (303), (304), (305), (306), (307),

(308), (309), (310), and (311), Fig. 1, Fig. 10j, col. 8, lines 5-67, col. 15, lines 22-40).

It would have been obvious to modify the displaying interface in the monitoring a

business performance of JOHNSON ET AL /ORACLE /ZAGER ET AL. /SWEENEY ET

AL. by using a contextual visualization interface as taught by BATTAT et al to obtain the

benefits of allowing the user to be intuitive as if physically present in a real world

environment or high degree of user defined customization or business process overview

as indicated as shown on col. 4, line 47 to col. 5, line 51. See also Fig. 3, steps (301),

(302), (303), (304), (305), (306), (307), (308), (309), (310), and (311), Fig. 1, Fig. 10j,

col. 8, lines 5-67, col. 15, lines 22-40). Note that BATTAT et al also teaches step (c) of

receiving business information including business event message and how this event

message affects the status or the result of the monitoring object.

As for dep. claims 2-6 (part of 1 above), which deal with the type of business

event message or features of the messages with respect to events or data or

information, they are fairly taught in Fig. 3A and 3 element (304) of BATTAT et al.

As for dep. claim 7 (part of 1 above), which deal with the type of PKI, i.e.

prediction (trend or forecast), this is fairly taught in COGNOS or PEOPLESOFT or

ORACLE, as described above.

9.   Dependent claim 12 is rejected under 35 U.S.C. 103(a) as being

unpatentable over JOHNSON et al /ORACLE/ ZAGER ET AL. /SWEENEY ET AL.

and BATTA as applied to claims 1-7 above, and further in view of CLINE et al.

The teachings of JOHNSON et al /ORACLE/ZAGER ET AL. /SWEENEY ET AL.

and BATTA as applied to claims 1-7 are cited above.

As for dep. claim 12 (part of 1 above), which deal with requesting additional

information about the business event if desired, in another system/method for

monitoring process (flight) plan, CLINE et al discloses the general concept of

determining whether to request additional information about other event related to the

process (flight) plan, requesting the additional information from an information provider;

and wherein electronically generate a different process/flight plan or the update of an

existing plan based on the requested or updated information/value in order to allow the

flight crew (manager) to effectively and continuously monitor the process (aircraft)

progress, and, if necessary or desirable, update or change the process performance

(flight plan) {see cols. 2-3, 13, 15, lines 1-30, col. 17, line 60 to col.8, line 20, cols. 29-

30, and 30-34}.   It would have been obvious to modify the teachings of JOHNSON et al

/ORACLE/ZAGER ET AL. /SWEENEY ET AL. /BATTA to include the steps of

determining whether to request additional information about other event related to the

process (flight) plan, requesting the additional information from an information provider;

and wherein electronically generate a different process/flight plan or the update of an

existing plan based on the requested or updated information/value as taught CLINE et

al to allow the flight crew (manager) to effectively and continuously monitor the process

(aircraft) progress, and, if necessary or desirable, update or change the process

performance (flight plan), as indicated above.

Response to Arguments

10.   Applicant's arguments with respect to claims 1-7, 9-10 and 12 on 9/22/2010,

have been considered but are not persuasive.

11.   In response to applicant's arguments against the references individually on

pages 10-11, and 13, one cannot show nonobviousness by attacking references

individually where the rejections are based on combinations of references. See *In re*

Keller, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.,* 800 F.2d 1091,

231 USPQ 375 (Fed. Cir. 1986).

In a dynamic modeling of business process management and prediction of

impacts of events (faulty events), **ZAGER ET AL.** is cited to teach several relevant

concepts/elements:

(c) receiving a business event message indicating an occurrence of the event

and identifying the event to be special type of event, the event message including

business data describing the event {see Figs. 4, 9, col. 14, "…*receives a message*

indicating an event that is inherently a root-cause event....", col. 15, lines 1-30"};

(f) more useful information includes a successor (incoming) events that are

related to each other (related events) and what their likely impacts will be, and

(i) displaying (reporting) the related incoming events.

{see Figs. 4, 9, col. 15, lines 10-30}

Therefore, it would have been obvious to modify the teachings of JOHNSON et al

/ORACLE or PEOPLESOFT to include the concepts as shown in functions (c) , (f) and

(i) above as taught by ZAGER ET AL. for the purpose of obtaining more useful

information includes a successor (incoming) events that are related to each other

(related events) and what their likely impacts will be.

In a process management with prediction of a secondary event and prevention of

the primary (conditional) event, **SWEENEY ET AL**. discloses the use of event prediction

scheduler for predicting a successor event and an expected time period (prediction

scheduler) indicating when the successor event is expected to occur and further

comprising:

f) determining that the expected time period has been reached;

g) determining whether the successor event has occurred; and

h) based at least in part on determining that the expected time period has

been reached and that the successor event has not occurred, displaying a

message for the successor event.

{see Figs. 4A, 6, 7, col. 5, lines 20-67, cols. 13, lines 13-55, col. 14, lines 24-67,

and col. 15, lines 1-20, and especially col. 24, line 24 to col. 25, line 6}

Therefore, it would have been obvious to modify the teachings of JOHNSON et

al /ORACLE or PEOPLESOFT /ZAGER ET AL. to include the concepts as shown above

as taught by ZAGER ET AL. for the purpose of providing more informed decision under

various event feature as shown on col. 6, lines 1-15.

12.   In response to applicant's argument that Zager and Sweeney are nonanalogous

art, it has been held that a prior art reference must either be in the field of applicant's

endeavor or, if not, then be reasonably pertinent to the particular problem with which the

applicant was concerned, in order to be relied upon as a basis for rejection of the

claimed invention. See *In re Oetiker*, 977 F.2d 1443, 24 USPQ2d 1443 (Fed. Cir.

1992). In this case, they are in the field of events monitoring and messages monitoring

related to events monitoring.

13.   In response to applicant's arguments on pages 14-15 that new claims 14-19 are

allowable, these are not persuasive and the dep. claims 14-15 have been rejected

above.

<div align="center">***Conclusion***</div>

14.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

        A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

      No claims are allowed.

15.   Information regarding the status of an application may be obtained from the
Patent Application Information Retrieval (PAIR) system. Status information for
published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through private PAIR only.
For more information about the PAIR system, see http://pair-direct@uspto.gov. Should
you have any questions on access to the private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll free).

1.   For more information about the PAIR system, see
http://portal.uspto.gov/external/portal/pair. Should you have questions on access to the Private
PAIR system, contact the Electronic Business Center (EBC) at **866.217.9197** (toll-free).

2.   Any response to this action should be mailed to:
        Commissioner of Patents and Trademarks
        Washington, D.C. 20231
        or faxed to **571-273-8300**.
        Hand delivered responses should be brought to the
        US Patent and Trademark Office Customer Service Window:
        Randolph Building
        401 Dulany Street
        Alexandria, VA 22314.

3.   In receiving an Office Action, it becomes apparent that certain documents are
missing, e. g. copies of references, Forms PTO 1449, PTO-892, etc., requests for
copies should be directed to Tech Center 3600 Customer Service at (571) 272-3600, or
e-mail CustomerService3600@uspto.gov .

4.   Any inquiry concerning the merits of the examination of the application should be
directed to Dean Tan Nguyen at telephone number (571) 272-6806. My work schedule
is normally Monday through Friday from 6:30 am - 4:00 pm. I am scheduled to be off
every other Friday.   Should I be unavailable during my normal working hours, my
supervisor Janice Mooneyham can be reached at (571) 272-6805. The main FAX
phone numbers for formal communications concerning this application are **(571) 273-
8300**. My personal Fax is (571) 273-6806. Informal communications may be made,
following a telephone call to the examiner, by an informal FAX number to be given.

/Tan Dean D. Nguyen/
Primary Examiner, Art Unit 3689